

Atty Docket No.: R0146B-REG  
USSN: 10/724,683

### REMARKS

Claims 1-53 are pending in the above-identified patent application. Claims 50-53 are withdrawn.

1. Restriction

The Examiner restricted Applicant's claims as follows:

Group I, Claims 1-49, drawn to products classified in classes 514, 544, 546 and 548;

Group II, Claims 50-52 drawn to methods of use and classified in class 514; and

Group III, Claim 53, drawn to a method of preparing products, classified in classes 544, 546 and 548.

The Applicant elects Group I, without traverse. In the event that further restriction of Group I is introduced in the future by the Examiner, Applicants may traverse such restriction. The Applicant's election is made with the understanding that method claims 50-53 may be rejoined in the event that elected base claim 1 is found allowable.

The Examiner further required election of a single compound. For examination purposes, the Applicant elects compound 16 in Table 1 (page 21 of Applicant's specification). The election of this compound corresponds to the following values for the variables of formula I:

$m = 0$ ;

$n = m$ ;

$p = 2$ ;

$R^1$  is absent (since  $m = 0$ );

$-S(O)_n-R^2$  is at the 3- position of the indole ring system;

$R^2$  is unsubstituted phenyl;

$R^3$  is hydrogen;

Atty Docket No.: R0146B-REG  
USPN: 10/724,683

$R^4$  is at the 7- position of the indole ring system;

$R^5$ ,  $R^6$  and  $R^7$  are hydrogen; and

$R^8$  is methyl.

Atty Docket No.: R0146B-REG  
USSN: 10/724,683

**CONCLUSION**

The Applicants respectfully believe that all claims pending in the above-identified case are now in condition for allowance. If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 650-354-7540.

No fees should be due. However, in the event it is determined that a fee is due, please charge same to Deposit Account No. 18-1700.

Respectfully submitted,



Robert C. Hall  
Reg. No. 39,209  
Attorney for Applicants

Roche Palo Alto  
Patent Department, MS A2/250  
Palo Alto, CA 94301  
Phone: (650) 354-7540

September 28, 2005